

C O U N C I L C O M M U N I C A T I O N

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TO: THE CITY COUNCIL
FROM: THE CITY MANAGER'S OFFICE

COUNCIL MEETING DATE:
MAY 16, 1990

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SUBJECT: ESTABLISH POLICY IF NO ONE, OR ONLY ONE, PERSON IS NOMINATED FOR AN ELECTIVE
 OFFICE IN THE NOVEMBER 6, 1990 GENERAL MUNICIPAL ELECTION

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RECOMMENDED ACTION: That Council adopt Resolution No. 90-78 - A Resolution of the City
 Council of the City of Lodi providing for the appointment to the
 offices of this city that were to be elected Tuesday, November 5, 1990
 of the persons who have been nominated if there are not more
 candidates than offices to be elected.

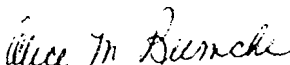
Sections 22843.5 and 22844 of the Elections Code allow for one of the following courses of
action to be taken by the City Council in the event there are not more candidates than
offices to be elected, or if no one is nominated:

1. Appoint to the office the person who has been nominated.
2. Appoint to the office any eligible voter if no one has been nominated.
3. Hold the election if either no one or only one person has been nominated.

Council may recall that a number of years ago only the incumbents were nominated for office
at the General Municipal Election. State Statute, at that time, mandated that the election
be held. The City had to bear the cost of the election and the voter turnout was extremely
low. State Statutes have since been amended to allow for a number of courses of action,
which can be followed, should this happen. However, the decision on which course of action
is to be followed must be adopted by the Council prior to the election.

The provisions of this statute does not apply if, at the subject election, more than one
person has been nominated to another city office to be elected on a City-wide bases or city
measure has qualified to be placed on the ballot.

In the event that no nominations are received, this matter will be brought back to the
Council following the close of nominations for Council to decide if it wishes to appoint
eligible voters to the office or hold the election which would then allow for write-in
candidates.


Alice M. Reimche
City Clerk

AMR/jmp

RESOLUTION NO. 90-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA
PROVIDING FOR THE APPOINTMENT TO THE OFFICES OF THIS CITY
THAT WERE TO BE ELECTED TUESDAY, NOVEMBER 6, 1990
OF THE PERSONS WHO HAVE BEEN NOMINATED IF THERE ARE NOT MORE
CANDIDATES THAN OFFICES TO BE ELECTED

WHEREAS, Section 22843.5 and Section 22844 of the Elections Code of the State of California allows for one of the following courses of action to be taken by the City Council if there are not more candidates than offices to be elected:

1. Appoint to the office the person who has been nominated,
2. Appoint to the office any eligible voter if no one has been nominated,
3. Hold the election if either no one or only one person has been nominated.

RESOLVED, that the Lodi City Council does hereby declare its intention to appoint to the office the person who has been nominated; and

BE IT FURTHER RESOLVED, that the Lodi City Council does hereby direct the City Clerk to proceed with the provisions of Sections 22843.5 and 22844 of the State of California Elections Code as they pertain to the General Municipal Election of November 6, 1990.

Dated: May 16, 1990

I hereby certify that Resolution No. 90-78 was passed and adopted by the Lodi City Council in a regular meeting held May 16, 1990 by the following vote:

Ayes: Council Members - Hinchman, Olson, Pinkerton, Reid and Snider (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - None


Alice M. Reimche
City Clerk

90-78

RES9078/TXTA.02J